

Panaji, 1st August, 1985 (Sravana 10, 1907)

SERIES I No. 18

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

#### Notification

1/31/74-PER (Vol. V)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Notification No. F.7(11)/62-Goa dated 25th July, 1963 and in supersession of the existing recruitment rules for the posts the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the General Central Service Group 'B' Gazetted posts in the Goa Medical College, under the Govt. of Goa, Daman & Diu, namely: —

#### 1. Short title, application and commencement: —

(1) These rules may be called the Government of Goa, Daman and Diu, Goa Medical College General Central Service Group 'B' Gazetted post Recruitment Rules, 1985.

(2) *Application.* — These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

#### 2. Number, classification and scales of pay. —

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.* — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule.

4. *Disqualification.* — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage or that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.* — Nothing in these rules shall affect reservation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

N. P. Gannekar, Under Secretary (Personnel).

Panaji, 3rd May, 1985.

**SCHEDULE**

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C. C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, (if any)	Method of recruitment whether by direct recruitment or by promotion/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6 (a)	7	8	9	10	11	12	13
1. Superintendent of Dietetics	1 (1985) Subject to variation dependent on workload.	General Central Service Group 'B' Gazetted.	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Selection	Not exceeding 30 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government.)	No	<p><b>Essential:</b></p> <p>Master's Degree in Home Science/Home Economics with Specialisation in food and nutrition of a recognised University or equivalent and 2 years practical experience in the Dietetics Department of a hospital.</p> <p align="center">OR</p> <p>B.Sc. (Home Science/Home Economics) with Nutrition as a special subject from a recognised University or equivalent with post-graduate Diploma in Dietetics from a recognised Institution or equivalent and five years' practical experience in Dietetics.</p> <p><i>Note 1:</i> Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified.</p> <p><i>Note 2:</i> The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to Scheduled Castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p>	No	2 years both for direct recruit and promotee officer.	By promotion failing which by transfer on deputation and failing both by direct recruitment.	<p><b>Promotion:</b></p> <p>Dietician with 3 years regular service in the grade.</p> <p><b>Transfer on Deputation:</b></p> <p>Officers under the Central/State Governments and Union Territories: —</p> <p>(a) (i) holding analogous posts; or</p> <p>ii) with 3 years' service in posts in the scale of Rs. 550-900; or equivalent; or</p> <p>iii) with 8 years service in posts in the scale of Rs. 425-700 or equivalent; and</p> <p>(b) possessing the educational qualifications and experience prescribed for direct recruits under Col. 7.</p> <p>"(The departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appointment by pro-</p>	<p>Group 'B' D. P. C.</p> <p>i) Chief Secretary — Chairman."</p> <p>ii) Administrative Secretary — Member.</p> <p>iii) Dean, Goa Medical College — Member.</p> <p><i>Note:</i> The Proceedings of the D.P.C. relating to confirmation of a direct recruit shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Consultation with the Union Public Service Commission necessary while making direct recruitment, selecting an officer for appointment on deputation and amending/relaxing any of the provisions of these rules.

*Desirable:*

- i) Research/Practical experience in the field of Nutrition and/or related subjects.
- ii) Knowledge of Marathi and/or Konkani.

2. Senior Biochemist.	1 (1985) Subject to variation dependent on workload.	General Central Service Group 'B' Gazetted:	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Selection	Not exceeding 30 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government.) <i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).
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No

*Essential:*

No

- i) A recognised medical qualification included in the First or the Second Schedule or Part II of the Third Schedule (other than Licentiate qualifications) to the Indian Medical Council Act, 1956. Holders of the qualifications included in Part II of the Third Schedule should also fulfil the conditions stipulated in Section 13(3) of the Indian Medical Council Act, 1956.

*OR*

Master's Degree in Bio-chemistry or in Chemistry with Bio-chemistry as a special subject of a recognised University or equivalent;

- ii) 2 years' research or practical experience in Bio-chemical or Pathological Laboratory preferably of a Medical College or Hospital.

*Note 1:* Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.

*Note 2:* The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to Scheduled Castes and Scheduled

2 years both for direct recruit and promo-tee officer. By promotion failing which by transfer on deputation and failing both by direct recruitment.

motion. Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same organisation/department shall ordinarily not exceed 3 years.)

*Promotion:* Biochemist with 3 years regular service in the grade.

*Transfer on Deputation:* Officers under the Central/State Governments and Union Territories: —

- (a) (i) holding analogous posts; or
- ii) with 3 years' service in posts in the scale of Rs. 550-900; or equivalent; or
- iii) with 8 years' service in posts in the scale of Rs. 425-700 or equivalent; and
- (b) possessing the educational qualifications and experience prescribed for direct recruits under Col. 7.

“(The departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appoint-

Group 'B' D. P. C.

i) Chief Secretary — Chairman.

ii) Administrative Secretary — Member.

iii) Dean, Goa Medical College — Member.

*Note:* The Proceedings of the D.P.C. relating to confirmation of a direct recruit shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.

Consultation with the Union Public Service Commission necessary while making direct recruitment, selecting an officer for appointment on deputation and amending/relaxing any of the provisions of these rules.

## Tourism, Information and Transport Department

## Notification

5/12/83-HD(G)

The following draft of certain rules, to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, which the Government of Goa, Daman and Diu proposes to make in exercise of the powers conferred by sub-section (1) of section 70 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), is hereby published as required by sub-section (1) of section 133 of the said Act, for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government after the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Tourism, Information and Transport Department, Secretariat, Panaji-Goa, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

## DRAFT AMENDMENT

In exercise of the powers conferred by sub-section (1) of section 70 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa, Daman and Diu Motor Vehicles (.....th Amendment) Rules, 1985.

(2) They shall come into force at once.

2. *Insertion of new rule 5.27A.*— After rule 5.27 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, the following rule shall be inserted, namely:—

"5.27A(a) Every transport vehicle, except motor cycles, autorickshaws and motor cabs, shall at all times, while plying on a public road, carry in the vehicle, two markers, each of which shall be of one metre height, triangular in shape and with a self-supporting stand. Every marker shall have white background and 5 red reflectors with 90 m.m. diameter on each side of the triangle, totalling to 12 reflectors on all sides. The base of the triangle shall be 500 m.m. and the supporting stand shall have the height of 140 m.m. The markers shall also be capable of being folded.

(b) The markers shall be placed at the rear and the front of the vehicle, when the vehicle is stalled on the road on account of breakdown or accident, in such a position that it will caution the drivers of other vehicles regarding the position of the stalled vehicle.

(c) The markers shall be removed when the vehicle resumes its journey."

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (STE).

Panaji, 18th July, 1985.

Tribes if, at any stage of selection, the U.P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

## Desirable:

- i) Doctorate Degree in Bio-chemistry of a recognised University or equivalent;
- ii) Knowledge of Marathi and/or Konkani.

ment by promotion. Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same organisation/department shall ordinarily not exceed 3 years.)

Finance Department  
Expenditure, Revenue and Control Branch

## Notification

10/1/85-FIN(R&amp;C)

The following Notification bearing No. U-11030/3/84-UTL dated 12th June, 1985 issued by the Ministry of Home Affairs, New-Delhi published in the Gazette of India, Part II, Section 3, sub-section (ii), dated 12th June, 1985 is hereby republished for the general information of the public.

S. V. Shirodkar, Under Secretary (Finance Exp.).

Panaji, 23rd July, 1985.

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

New Delhi, the 12th June, 1985

## Notification

S.O. 460(E). — In pursuance of clause (1) of article 239 of the Constitution of India, the President hereby directs that, subject to his control and until further orders, the Administrator of every Union Territory (whether known as the Administrator, Lieutenant-Governor or Chief Commissioner) shall, in relation to the Union Territory concerned, also exercise the powers and discharge the functions of the State Government under section 45T and the proviso to sub-section (1) of section 58E of the Reserve Bank of India Act, 1934 (2 of 1934).

(No. U-11030/3/84-UTL)

H. V. GOSWAMI

Joint Secretary to the Govt.  
of India

Law Department

Legal Affairs Branch

## Notification

LD/1/9/85(D)

The following Notification bearing No. 30035/28/84-F/(T-1) dated 4th April, 1985 issued by the Ministry of Agriculture and Rural Development Department of Agriculture and Cooperation, New Delhi, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 11th June, 1985.

GOVERNMENT OF INDIA  
MINISTRY OF AGRICULTURE AND  
RURAL DEVELOPMENT

(Department of Agriculture and Cooperation)

New Delhi, dated the 4th April, 1985

## Notification

S. O. No. 286(E) — In exercise of the powers conferred under section 25 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981), and in supersession of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) (Amendment) Rules, 1984 the Central Government hereby makes the following rules to amend Maritime Zones of India (Regulation of Fishing by Foreign Vessels), Rules, 1982, namely:—

1. *Short title and commencement:*— (i) These rules may be called the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Amendment Rules, 1985.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982 hereinafter referred to as the said rules, (i) in rule 5, in sub-rule (1), after clause (x), the following clause shall be inserted, namely:—

“(y) Where the fishing is authorised by the licence including the licences issued prior to the commencement of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Amendment Rules, 1985, the crew of the vessel shall fish beyond,—

A. 24 nautical miles from the shore on the Western coast as a general rule with the following restrictions, namely:—

(1) *Off Maharashtra-Gujarat Coast line.*

No Fishing by foreign vessels shall be allowed between the coast line and the line joining the following points:—

- (i) 22°54'N - 67°33'E
- (ii) 21°33'N - 68°56'E
- (iii) 19°2'N - 72°E
- (iv) 18°33'N - 72°E
- (v) 18°N - 72°31'E

(2) *Off Kerala - Tamil Nadu Coast line:*

No fishing by foreign vessels shall be allowed in the areas joined by the following points:—

- (i) 7°45'N - 77°E
- (ii) 7°45'N - 78°E
- (iii) 7°30'N - 78°E
- (iv) 7°30'N - 77°E

B. 12 nautical miles from the shore on the Eastern coast as a general rule subject to the following restrictions, namely:—

- (i) Fishing may be done beyond 24 nautical miles between the Nizampatnam (Andhra Pradesh) and Paradeep Port (Orissa).

- (ii) No fishing shall be allowed between the area covered by the coast line and the line joining the following points in the North of Chilka (Orissa) and upto Bangladesh boundary:-

- (i) 19°22'N - 85°30'E
- (ii) 20°N - 86°56'E
- (iii) 20°42'N - 88°E
- (iv) 21°8'N - 89°7'E
- (v) 21°16'N - 89°14'E

(ii) in rule 8 of the said rules, in sub-rule (1), after clause (P), the following clause shall be inserted, namely:-

“(q) The charterer including those who hold permits issued prior to the commencement of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Amendment Rules, 1985, shall fish beyond, —

A. 24 nautical miles from the shore on the Western coast as a general rule with the following restrictions, namely:-

(1) *Off Maharashtra/Gujarat Coast line:*

No fishing by foreign vessels shall be allowed between the coast line and the line joining the following points:-

- (i) 22°54'N - 67°33'E
- (ii) 21°33'N - 68°56'E
- (iii) 19°2'N - 72°E
- (iv) 18°33'N - 72°E
- (v) 18°N - 72°31'E

(2) *Off Kerala/Tamil Nadu Coast line:*

No fishing by foreign vessels shall be allowed in the areas joined by the following points off Kerala/Tamil Nadu coast line:-

- (i) 7°45'N - 77°E
- (ii) 7°45'N - 78°E
- (iii) 7°30'N - 78°E
- (iv) 7°30'N - 77°E

B. 12 nautical miles from the shore on the Eastern coast as a general rule subject to the following restrictions, namely:-

- (i) Fishing may be done beyond 24 nautical miles between the Nizampatnam (Andhra Pradesh) and Paradeep Port (Orissa).
- (ii) No fishing shall be allowed between the area covered by the coast line and the line joining the following points in the North of Chilka (Orissa) and upto Bangladesh boundary:-
  - (i) 19°22'N - 85°30'E
  - (ii) 20°N - 86°56'E
  - (iii) 20°42'N - 88°E
  - (iv) 21°8'N - 89°7'E
  - (v) 21°16'N - 89°14'E

*Foot Note:* Principal rules notified under GSR 619(E) dated 26th August 1982 of the Gazette of India: Extraordinary Part II Section 3(ii) and were amended vide (i)-GSR. 361 (E) dated

5-5-1984. Gazette of India Extraordinary Part (II), Section 3 sub-section (ii) dated 5-5-1984, and (2) S. O. 438 (E) dated 12-6-1984 Gazette of India, Part II Section 3 (ii).

[No. 30035/28/84-FY(T-I)]

VISHNU BHAGWAN

Joint Secretary to the Government of India

Legislative Assembly of Goa, Daman and Diu

(Legislature Department)

LA/B/1537/85

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 29th July, 1985 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

**THE GOA, DAMAN AND DIU APPROPRIATION  
(EXCESS EXPENDITURE FOR 1980-81)**

**BILL, 1985**

(Bill No. 17 of 1985)

A Bill to provide for the authorisation of appropriation of moneys from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1980-81 in excess of the amounts granted for those services and for that period.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Appropriation (Excess Expenditure for 1980-81) Act, 1985.

2. **Issue of Rs. 7,02,855 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet excess expenditure for the year 1980-81.**—From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, the sums specified in column 5 of the Schedule amounting in the aggregate to the sum of seven lakhs two thousand eight hundred and fifty five rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule for the year 1980-81 in excess of the amounts granted for those services and for that period.

3. **Appropriation.**—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu under this Act, shall be deemed to have been appropriated for the services and purposes expressed in the Schedule for the year 1980-81.

## THE SCHEDULE

(See Section 2 and 3)

Demand No.	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu	Total Excess over Grant/ Appropriation
1	2	3	4	5
		Rs.	Rs.	Rs.
13.	Roads and Bridges	5,58,031	—	5,58,031
22.	Irrigation and Power Project	1,21,824	—	1,21,824
23.	Industries	23,000	—	23,000
	Total	7,02,855	—	7,02,855

## Financial Memorandum

The provision of Rs. 7,02,855 included in the Bill relates to the amounts appropriated for certain services and purposes expressed in the Schedule during the year 1980-81, over and above the amounts granted for the services for the said period. The amounts mentioned above consist of Rs. 6,54,014 on Revenue Account and Rs. 48,841 on Capital Account for the said year.

## Statement of Objects and Reasons

The Demands for Excess Grants for the expenditure of this Union territory for the year 1980-81 were presented to the Legislative Assembly on 25th July, 1985. They have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in pursuance of section 29(1) of the Government of Union Territories Act, 1963 to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1980-81 in excess of the amounts granted for those services and for that period.

The Administrator has, in pursuance of sub-section (1) of section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

SHRI PRATAPSINGH RAOJI RANE  
Chief Minister

Panaji,

July, 1985.

Assembly Hall,

Panaji,

29th July, 1985.

M. M. NAIK

Secretary to the Legislative  
Assembly of Goa, Daman  
and Diu.

LA/B/1538/85

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 29th July, 1985 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Registration (Goa, Daman and Diu Amendment) Bill, 1985  
(Bill No. 20 of 1985)

A

## BILL

to amend the Registration Act, 1908.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows, namely:—

1. **Short title and commencement.**— (1) This Act may be called the Registration (Goa, Daman and Diu Amendment) Act, 1985.

(2) It shall come into force at once.

2. **Insertion of section 19 A.**— After section 19 of the Registration Act, 1908 (Central Act 16 of 1908) (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

“19 A. Documents presented for registration to be accompanied by true copies thereof.— (1) No document shall be accepted for registration unless it is accompanied by a true copy thereof.

(2) The true copy referred to in sub-section (1) shall be neatly handwritten, printed, typewritten, lithographed or otherwise prepared in accordance with such rules as may be made in this behalf.”

3. **Amendment of section 45.**— In section 45 of the principal Act,—

(a) in sub-section (1), for the words, letters and figure “cause the contents thereof to be copied into his Book No. 3”, the words, letters and figure “cause a true copy of the contents thereof to be made and filed in his Book No. 3” shall be substituted;

(b) in sub-section (2), for the words “copy has been made”, the words “true copy has been filed” shall be substituted.

4. **Amendment of section 46.**— In section 46 of the principal Act, in sub-section (2),—

(a) for the words “unless the will has been already copied”, the words “unless a true copy of the will has already been filed” shall be substituted;

(b) for the words, letters and figure “cause the will to be copied into his book No. 3”, the words, letters and figure “cause a true copy of the will to be made and filed in his Book No. 3” shall be substituted.



**5. Amendment of section 51.**—In section 51 of the principal Act, —

(a) for sub-section (2), the following sub-section shall be substituted, namely: —

“(2) In Book 1 shall be filed —

- (i) true copies of all documents; and
- (ii) all memoranda,

registered under sections 17, 18 and 89 which relate to immovable property, and are not wills.”;

(b) in sub-section (3), for the words “entered all documents”, the words “filed true copies of all documents” shall be substituted.

**6. Amendment of section 52.**—In section 52 of the principal Act, for clause (c) of sub-section (1), the following clause shall be substituted, namely: —

“(c) subject to the provisions contained in section 62, where a document is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission.”.

**7. Amendment of section 54.**—In section 54 of the principal Act, for the words “copied or filed a memorandum of,” the words “filed a true copy or a memorandum of” shall be substituted.

**8. Amendment of section 55.**—In section 55 of the principal Act, —

(a) in sub-section (2), for the words “document entered or memorandum filed”, the words “document of which a true copy or a memorandum, is filed” shall be substituted;

(b) in sub-section (4), for the words “authority entered”, the words “authority of which a true copy is filed” shall be substituted;

(c) in sub-section (5), for the words “document entered”, the words “document of which a true copy is filed” shall be substituted.

**9. Amendment of section 60.**—In section 60 of the principal Act, in sub-section (1), for the words “the document has been copied”, the words “the true copy of the document has been filed” shall be substituted.

**10. Amendment of section 61.**—In section 61 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely: —

“(1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the true copy of the document presented alongwith the document, and the true copy of the map or plan (if any) mentioned in section 21 shall also be filed along with the true copy of the document.”.

**11. Amendment of section 62.**—In section 62 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely: —

“(1) When a document is presented for registration under section 19, the translation together with the true copy of the document shall be filed in the appropriate book.”.

**12. Amendment of section 81.**—In section 81 of the principal Act, —

(a) for the words “or registering of any document”, the words “registering, or filing a true copy of, any document” shall be substituted;

(b) for the words “or registers such document”, the words “registers or files a true copy of, such document” shall be substituted.

**13. Amendment of section 82.**—In clause (b) of section 82 of the principal Act, for the words and figures “section 19 or section 21”, the words “this Act or the rules made thereunder” shall be substituted.

**14. Insertion of section 89 A.**—After section 89 of the principal Act, the following section shall be inserted, namely: —

“89A. Power to make rules for filing of true copies of documents. — (1) The State Government may make rules for all purposes connected with the filing of true copies of documents in the appropriate books under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for, —

(a) the manner in which true copies of documents shall be prepared; and

(b) the manner of filing and pasting of such copies;

(3) All rules made under this section shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

#### Statement of Objects and Reasons

Under the existing provisions of the Registration Act, 1908 the entire documents presented for registration are required to be copied in hand, in the relevant registers. This procedure is time-consuming and unnecessarily delays the return of the duly registered copies of the documents to the executants thereof as the copying of the documents by hand is a laborious process and has to be done seriatim.

2. To surmount this problem and to reduce the delay and inconvenience to the public, it is proposed to introduce the system of obtaining a copy of the document presented for registration alongwith the original and thereafter pasting it in the relevant registers. It is therefore proposed to suitably amend the Registration Act, 1908 in its application to this Union territory.

3. This Bill seeks to achieve the above object.



## Memorandum Regarding Delegated Legislation

Clause 14 of the Bill seeks to add a new section 89A in the Registration Act, 1908 so as to enable the Government to make rules for all purposes connected with the filing of true copies of documents in the appropriate books under the said Act.

This delegation is of normal character.

## Financial Memorandum

No financial implications are involved in this Bill.

Panaji, SHRI SHAIKH HASSAN HAROON

Minister for Law.

16th July, 1985.

Assembly Hall,

Panaji,

16th July, 1985.

M. M. NAIK

Secretary to the Legislative  
Assembly of Goa, Daman  
and Diu.

(Annexure to Bill No. 20 of 1985)

The Registration (Goa, Daman and Diu  
Amendment) Bill, 1985

The Registration Act, 1908

(Central Act No. 16 of 1908)

45. *Proceedings on death of depositor.*—(1) If, on the death of a testator who has deposited a sealed cover under Sec. 42, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall, in the applicant's presence, open the cover, and, at the applicant's expense, cause the contents thereof to be copied in to his book No. 3.

(2) When such copy has been made, the Registrar shall reposit the original will.

46. *Saving of certain enactments and powers of courts.*—(1) Nothing hereinbefore contained shall affect the provisions of Sec. 259 of the Indian Succession Act, 1865 (10 of 1865) or of Sec. 81 of the Probate and Administration Act, 1881 (5 of 1881) or the power of any Court by order to compel the production of any will.

(2) When any such order is made, the Registrar shall, unless the will has been already copied under Sect. 45 open the cover and cause the will to be copied into his Book No. 3 and make a note on such copy that the original has been removed into Court in pursuance of the order aforesaid.

51. *Register-books to be kept in the several offices.*—(1) The following books shall be kept in the several offices hereinafter, namely:

A—In all registration offices—

Book 1, "Register of non-testamentary documents relating to immoveable property";

Book 2, "Record of reasons for refusal to register";

Book 3, "Register of wills and authorities to", adopt and

Book 4, "Miscellaneous Register".

B—In the offices of Registrars—

Book 5, "Register of deposits of wills".

(2) In the book 1, shall be entered or filed all documents or memoranda registered under Sec. 17, 18 and 89 which relate to immoveable property, and are not wills.

(3) In Book 4 shall be entered all documents registered under Cls (d) and (f) of Sec. 18 which do not relate to immoveable property.

(4) Nothing in this section shall be deemed to require more than one set of books where the office of the Registrar has been amalgamated with the office of a Sub-Registrar.

52. *Duties of Registering officers when document presented.*

—(1) (a) The day, hour and place of presentation, and the signature of every such person presenting a document for registration, shall be endorsed on every such document at the time of presenting it;

(b) A receipt for such document shall be given by the registering officer to the person presenting the same; and

(c) subject to the provisions contained in Sect. 62, every document admitted to registration shall without unnecessary delay be copied in the book appropriate therefore according to the order of its admission.

(2) All such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the Inspector General.

54. *Current indexes and entries therein.*—In every office in which any of the books hereinbefore mentioned are kept, there shall be prepared current indexes of the contents of such book; and every entry in such indexes shall be made, so far as practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

55. *Indexes to be made by registering officers, and their contents.*—(1) Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III and Index No. IV.

(2) Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

(3) Index No. II shall contain such particulars mentioned in Sec. 21 relating to every such document and memorandum as the Inspector General from time to time directs in that behalf.

(4) Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

(5) Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

(6) Each Index shall contain such other particulars, and shall be prepared in such form, as the Inspector-General from time to time directs.

60. *Certificate of registration.*—(1) After such of the provision of Sec. 34, 35, 58 and 59 as apply to any document presented for registration have been complied with the registering officer shall endorse thereon a certificate containing the word "registered" together with the number and page of the book in which the document has been copied.

(2) Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsements referred to in Sec. 59 have occurred as therein mentioned.

61. *Endorsements and certificate to be copied and document returned.*—(1) The endorsements and certificate referred to and mentioned in Sect. 59 and 60 shall thereupon be copied into the margin of the Register-book, and the copy of the map or plan (if any) mentioned in Sec. 21 shall be filed in Book No. 1.

(2) The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in Sec. 52.

62. *Procedure on presenting document in language unknown to registering officer.*—(1) When a document is presented for registration under Sec. 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in Sec. 19, shall be filed in the registration office.

(2) The endorsements and certificate respectively mentioned in Sect. 59 and 60 shall be made on the original, and, for the purpose of making the copies and memoranda required by Sect. 57, 64, 65 and 66 the translation shall be treated as if it were the original.

81. *Penalty for incorrectly endorsing, copying, translating, or registering documents with intent to injure.*—Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code (45 of 1860), to any person, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

82. *Penalty for making false statements, delivering false copies or translations, false personation, and abetment.*—Whoever—

(a) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or inquiry under this Act; or

(b) intentionally delivers to a registering officer, in any proceeding under Sec. 19 or Sec. 21, a false copy or translation of a document or a false copy of a map or plan; or

(c) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued or does any other act in any proceeding or enquiry under this Act; or

(d) abets anything made punishable by this Act, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

M. M. NAIK

Assembly Hall,  
Panaji,

Secretary to the Legislative Assembly  
of Goa, Daman and Diu.

18th July, 1985.

LA/B/1539/85

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 29th July, 1985 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Excise Duty (Amendment) Bill, 1985  
(Bill No. 24 of 1985)

A  
BILL

further to amend the Goa, Daman and Diu Excise Duty Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa, Daman and Diu Excise Duty (Amendment) Act, 1985.

(2) It shall come into force at once.

2. *Amendment of section 30.*—In section 30 of the Goa, Daman and Diu Excise Duty Act, 1964 (5 of 1964), to item (i), the following proviso shall be added, namely:—

“Provided that the minimum punishment shall not be less than six months”.

#### Statement of Objects and Reasons

Despite vigorous vigil being kept by the Department of Excise and Police on the unauthorised import, transport, possession, sale, consumption, etc., of intoxicating drugs and opium in this territory, no effective control could be exercised as the punishment given to the accused by the various Courts in this territory is on lighter side and in many cases the accused have been let off with very small fines without imprisonment. Section 30 of the Goa, Daman and Diu Excise Duty Act, 1964, does not provide the minimum term of imprisonment in respect of an offence relating to intoxicating drugs and opium or that the accused should necessarily be imprisoned.

It is, therefore, considered appropriate to make a provision in section 30 of the Act to prescribe a minimum imprisonment of six months.

This measure will definitely create an impact in the minds of people and will alienate them from such drugs.

This Bill seeks to achieve the said object.

#### Financial Memorandum

No financial implications are involved in this Bill.

Panaji,  
23rd July, 1985.

PRATAPSING RANE  
Chief Minister

Assembly Hall,  
Panaji,  
24th July, 1985.

M. M. NAIK  
Secretary to the Legislative Assembly  
of Goa, Daman and Diu

(Annexure to Bill No. 24 of 1985)

The Goa, Daman and Diu Excise Duty (Amendment)  
Bill, 1985

The Goa, Daman and Diu Excise Duty Act, 1964  
(Act No. 5 of 1964)

30. *Penalty for contravention of provisions.*—Whoever, in contravention of this Act, or of any rules or orders made thereunder, or of the conditions in any licence or permit obtained under this Act,—

(a) imports, exports, transports or possesses any excisable article; or

(b) manufactures or produces any excisable article or bottles liquor; or

(c) constructs or works any distillery, brewery or pot still; or

(d) uses, keeps, or has in his possession any materials, still, utensils, implements or apparatus whatsoever for the purpose of manufacturing any excisable article; or

(e) sells any excisable article or foreign liquor; or

(f) draws toddy from any tree,

shall, on conviction before a Magistrate, be punished for each such offence with —

(i) rigorous imprisonment which may extend to seven years, with or without fine, if the offence relates to intoxicating drug or opium as defined in clauses (kkk) and (oo) respectively, of section 2;

(ii) a fine which may extend to two thousand rupees or imprisonment for a term which may extend to two years or with both, if the offence relates to any other matter:

Provided that in respect of any offence under clause (f), the amount of fine may be such lower figure as may be prescribed.

Assembly Hall,  
Panaji,  
24th July, 1985.

M. M. NAIK  
Secretary to the Legislative Assembly  
of Goa, Daman and Diu